



COFC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EJ

In re application : Walter Schubert
Patent No. : 6,924,115
Issued : August 2, 2005
For : PROCESS FOR IDENTIFYING CELL-SPECIFIC
TARGET STRUCTURES
Attorney's Docket : HSS-015XX

* * * * *

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ATTN: Certificates of Correction Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1-11-7.

By:

Charles L. Gagnebin III
Registration No. 25,467
Attorney of Record

* * * * *

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Certificates of Correction

Certificate
JAN 18 2007
of Correction

Sir:

In response to the U.S. Patent and Trademark Office Letter dated October 23, 2006 (copy enclosed), in which applicant's Certificate of Correction filed September 19, 2006 was denied, enclosed are two new copies of Form PTO 1050.

Our original Certificate of Correction stated "Column 6, claim 4, line 13 "portion each of said cell" should read --portion of said cell--. "portion each of said cell" is actually on line 14, and is printed correctly. The error made by the Patent Office which needs to be corrected within the issued patent is as follows:

"Column 6, claim 4, line 13 "profile each of a sample" should read --profile of a sample--.

In order for timely expedition of this request, enclosed is a copy of our Amendment Pursuant to 37 CFR 1.116, filed on January 19, 2005. Also enclosed is a copy of the Notice of Allowance which indicates that the Examiner has entered the Amendment.

Therefore, it is requested that an additional Certificate of Correction be issued to correct the mistake of the U.S. Patent and Trademark Office for the above-identified patent.

Applicants believe that no fee is required at this time. In the event any additional fee is required, please charge such amount to U.S. Patent and Trademark Office Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

JOHANNES JACOBUS SCHERMER

By: 

Charles L. Gagnebin III
Registration No. 25,467
Attorney of Record

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

CLG/doc
Enclosures
346490.1



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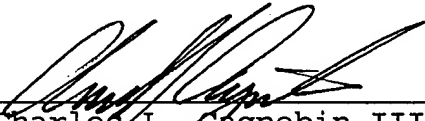
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PATENT

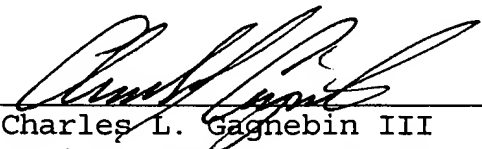
THE UNITED STATES PATENT AND TRADEMARK OFFICE

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REQUEST FOR RECONSIDERATION

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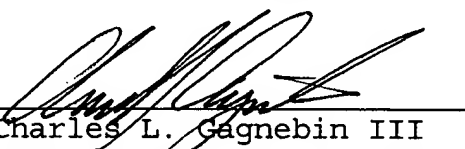
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Telephone: (617) 542-2290
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UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BY: RECEIVED
NOV 29 2006

Date Mailed : 10-23-06

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP

Patent No.: 6,924,115

Patent Issued : August 2, 115

Inventor(s) Walter Schubert

Title: PROCESS FOR IDENTIFYING CELL-SPECIFIC TARGET STRUCTURES

Docket No.: HSS-015XX

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule 1.322.

The requested correction to Title page, item [76] and col. 6, claim 4, line 13 is printed in accordance with the record.

In view of the foregoing, your request in this matter is hereby denied. However, further consideration will be given upon receipt of a request for reconsideration directed to Decisions & Certificates of Correction Branch.

A certificate of correction will issue to correct the remaining errors noted in your request.

Eva James

For Cecelia B. Newman

Certificate of Correction Branch

(703) 308-9390 ext. 124 or ext. 102

Charles Gagnebin

Weingarten, Schurgin, Gagnebin & Lebovici

Ten Post Office Square

Boston, MA 02109

ej

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO : 6,924,115
APPLICATION NO. : 09/808,224
DATED : August 2, 2005
INVENTOR(S) : Walter Schubert

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 6, claim 4, line 13, "profile each of a sample" should read --profile of a sample--.

MAILING ADDRESS OF SENDER:

PATENT NO. 6,924,115

Weingarten, Schurgin, Gagnebin & Lebovici LLP
Ten Post Office Square
Boston, Massachusetts 02109

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22323-1450.

CLG/DOC HSS-015XX 341652.1

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO : 6,924,115
APPLICATION NO. : 09/808,224
DATED : August 2, 2005
INVENTOR(S) : Walter Schubert

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CLG/DOC HSS-015XX 341652.1



RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCESSING
EXAMINING GROUP 1645

PATENT

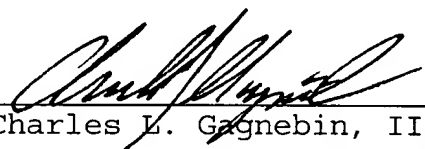
Rev 12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Walter Schubert
Application No. : 09/808,224
Filed : March 14, 2001
Confirmation No. : 2803
For : PROCESS FOR IDENTIFYING CELL-SPECIFIC
TARGET STRUCTURES
Examiner : Khatol Shahnan-Shah
Attorney's Docket : HSS-015XX

Group Art Unit: 1645

I hereby certify that this correspondence is being sent via
facsimile to Examiner Shahnan-Shah, TC Art Unit 1645, Fax No.
(703) 872-9306 on 1-14-5.

By: 
Charles L. Gagnebin, III
Registration No. 25,467
Attorney for Applicant(s)

AMENDMENT PURSUANT TO 37 C.F.R. § 1.116

Via Facsimile
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 19, 2004,
please amend the above-identified patent application as follows.

Application No. 09/808,224
Filed: March 14, 2001
Group Art Unit: 1645
Confirmation No.: 2803

AMENDMENTS TO THE SPECIFICATION

Applicant respectfully submits that the express mail number provided on page 1 of the specification beneath line 35 should be deleted. A marked-up copy of this amendment is provided herewith as a convenience to the Examiner.

AMENDMENT TO THE CLAIMS

1. (Currently Amended) A process for identifying cell-specific target structures, the process comprising the following steps:

(a) automatically depositing a reagent solution Y1 that includes at least one marker molecule on an object X1 which contains cells and/or cell membranes originating from a cell or tissue sample;

(b) allowing the reagent solution Y1 to react, and automatically detecting at least one marker pattern of the object X1 labeled with the reagent solution Y1;

(c) removing said reagent solution Y1 before or after detecting the marker pattern, and repeating steps (a) and (b) with further reagent solutions Yn (n = 2, 3, ..., N) each containing said at least one marker molecule, at least another marker molecule, or both;

(d) combining the marker patterns detected in step (b) to give a complex molecular combination pattern of object X1;

(e) repeating steps (a) to (d) with at least one further object Xn (n = 2, 3, ..., N) containing other cells and/or other cell membranes that originate from a different cell or tissue sample;

(f) determining at least one difference between the combination pattern of object X1 and that of object Xn;

(g) identifying at least one reagent solution Y1 or Yn whose marker pattern causes the difference determined in step (f);

(h) selecting molecules or molecular complexes bound by at least the one marker molecule of the reagent solution Y1 or Yn identified in step (g) from a homogenate of cells and/or cell

membranes originating from the cell or tissue sample of the object Xn differing as determined in step (f); and

(i) biochemically characterizing the molecules or molecular complexes selected in step (h).

2. (Previously Presented) The process as claimed in claim 1 wherein the homogenate used in step (h) will be separated into individual homogenate ingredients by means of a molecule or a molecular complex separation process, prior to step (h).

3. (Previously Presented) The process as claimed in claim 1 wherein said object X1 exhibits cells and/or cell membranes originating from a cell or tissue sample of a sick patient, and wherein at least one other object Xn exhibits cells and/or cell membranes originating from a cell or tissue sample of a healthy test person.

4. (Previously Presented) The process as claimed in claim 1 wherein said process comprises the following parallel step:

(x) preparing a protein expression profile of a sample portion each of said cell or tissue samples from which cells and/or cell membranes will be used from objects X1 and Xn, and comparing the protein expression profile to be associated with object X1 with that to be associated with object Xn, which comparison will show at least one difference.

5. (Previously Presented) The process as claimed in claim 4 wherein said process further comprises the step:

(y) examining at least one protein, at least one protein modification, or both causing the difference detected in step

(x) as to whether said protein binds to at least one marker molecule of the reagent solution Y1 or Yn identified in step (g).

6. (Original) The process as claimed in claim 4 wherein at least one marker molecule used in step (a) and/or step (c) binds at least one protein and/or at least one protein modification causing the difference detected in step (x).

7. (Previously Presented) The process as claimed in claim 1 wherein at least one marker molecule used in step (a) and/or step (c) is fluorochrome-conjugated.

8. (Previously Presented) The process as claimed in claim 1 wherein at least one marker molecule used in step (a) and/or step (c) is an antibody.

9. (Original) The process as claimed in claim 8 wherein said antibody is taken from an antibody library, said antibody library being of the naive or of the non-naive type.

10. (Previously Presented) The process as claimed in claim 1 wherein at least one marker molecule used in step (a) and/or step (c) is a ligand.

11. (Original) The process as claimed in claim 10 wherein said ligand is taken from a ligand library, said ligand library being of the naive or of the non-naive type.

12. (Currently Amended) The process as claimed in claim 1 wherein, after removing the reagent solution according to step (c), a rinsing step follows in which a rinsing solution is deposited on object X1 and removed again after a certain period of time.

13. (Previously Presented) The process as claimed in claim 1 wherein step (d) is performed by means of computer-aided image overlay.

14. (Previously Presented) The process as claimed in claim 1 wherein the process comprises randomly repeatable bleaching cycles, in particular after step (b).

15. (Previously Presented) The process as claimed in claim 3 wherein:

said process comprises the following parallel steps:

(x) preparing a protein expression profile of a sample portion each of said cell or tissue samples from which cells and/or cell membranes will be used from objects X1 and Xn, and comparing the protein expression profile to be associated with object X1 with that to be associated with object Xn, which comparison will show at least one difference; and

(y) examining at least one protein and/or at least one protein modification causing the difference detected in step (x) as to whether it binds to at least one marker molecule of the reagent solution Y1 or Yn identified in step (g), wherein at least one marker molecule used in step (a) and/or step (c) binds at least one protein and/or at least one protein modification causing the difference detected in step (x);

at least one marker molecule used in step (a) and/or step (c) is fluorochrome-conjugated;

at least one marker molecule used in step (a) and/or step (c) is an antibody, said antibody is taken from an antibody library, said antibody library being of the naive or of the non-naive type;

at least one marker molecule used in step (a) and/or step (c) is a ligand, said ligand being taken from a ligand library, said ligand library being of the naive or of the non-naive type;

after removing the reagent solution according to step (c), a rinsing step follows in which a rinsing solution is deposited on object X1 and removed again after a certain period of time;

step (d) is performed by means of computer-aided image overlay; and

the process comprises randomly repeatable bleaching cycles, in particular after step (b).

REMARKS

Claims 1-15 are pending in the application. The Examiner has rejected claims 1-15. Applicant submits two terminal disclaimers herewith. Applicant has amended the specification and claims 1 and 12. The amendments have support within the specification such that new matter has not been presented. Applicant submits that claims 1-15 should be pending on entry of the amendments herein.

Amendments to the claims should not be construed as acquiescence to the rejections by the Examiner and were provided solely to expedite the prosecution of the application. Applicant reserves the right to pursue the claims as originally filed in the present or a separate application(s).

Applicant also requests reconsideration and withdrawal of the rejections by the Examiner in view of the amendments to the specification and both terminal disclaimers provided herewith.

Objections

The Examiner has objected to the specification for inclusion of an express mail number. Applicant has respectfully amended the specification. Applicant submits that the objection by the Examiner should be withdrawn.

Rejections

The Examiner has rejected claims 1-15 based on U.S. Patent No. 6,150,173 and U.S. Application No. 09/808,225. Applicant respectfully submits two terminal disclaimers herewith to overcome the rejections by the Examiner. Applicant submits that the rejections of claims 1-15 should be withdrawn.

Application No. 09/808,224

Filed: March 14, 2001

Group Art Unit: 1645

Confirmation No.: 2803

CONCLUSION

Based on amendments to the specification and both terminal disclaimers presented herewith, reconsideration and withdrawal of all the rejections and allowance of the application with all pending claims are respectfully requested.

The Examiner is also encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

WALTER SCHUBERT

By: 

Charles Gagnebin, III

Registration No. 25,467

Attorney for Applicant(s)

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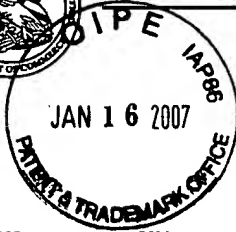
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov



NOTICE OF ALLOWANCE AND FEE(S) DUE

207

7590

04/01/2005

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI
LLP
TEN POST OFFICE SQUARE
BOSTON, MA 02109

BY:

RECEIVED

APR 04 2005

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP

EXAMINER

SHAHNAN SHAH, KHATOL S

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 04/01/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,224	03/14/2001	Walter Schubert	HSS-015XX	2803

TITLE OF INVENTION: PROCESS FOR IDENTIFYING CELL-SPECIFIC TARGET STRUCTURES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	07/01/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,224	03/14/2001	Walter Schubert	HSS-015XX	2803

207 7590 04/01/2005

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI
LLP
TEN POST OFFICE SQUARE
BOSTON, MA 02109

EXAMINER

SHAHNAN SHAH, KHATOL S

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 04/01/2005

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 323 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 323 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



Notice of Allowability

Application No.

09/808,224

Examiner

Khatol S. Shahnan-Shah

Applicant(s)

SCHUBERT, WALTER

Art Unit

1645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments of 1/19/2005.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Attachment to notice of allowance

1. Applicant's Notice of appeal filed 01/19/2005 is acknowledged.
2. Applicant's amendment after notice of appeal filed 01/19/2005 is acknowledged.

The amendment has been entered. Claims 1 and 12 have been amended. The amendments have support in the specification and no new matter has been presented. Specification page 1 has been amended to remove a certificate of mailing stamp.

3. Applicant's terminal disclaimers filed 01/19/2005 are acknowledged. The terminal disclaimers have been approved by the office.

Status of the Claims

4. Claims 1-15 are pending and under consideration.

Objections/Rejections Withdrawn

5. Objection to the specification in regard to express mail sticker made in paragraph 5, of the office action mailed 10/01/03 is withdrawn in view of applicant's amendment.
6. Rejections of claims 1-15 under judicially created doctrine of obviousness –type double patenting, made in paragraphs 8 and 9 of the office action mailed 10/01/03 are withdrawn. Applicant has filed two terminal disclaimers to overcome these rejections.

Reason for Allowance

7. Claims 1-15 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims are drawn to:

A process for identifying cell-specific target structures, the process comprising

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the following steps:

- (a) automatically depositing a reagent solution Y1 that includes at least one marker molecule on an object X1 which contains cells and/or cell membranes originating from a cell or tissue sample;
- (b) allowing the reagent solution Y1 to react, and automatically detecting at least one marker pattern of the object X1 labeled with the reagent solution Y1;
- (c) removing said reagent solution Y1 before or after detecting the marker pattern, and repeating steps (a) and (b) with further reagent solutions Yn (n 2, 3, N) each containing said at least one marker molecule, at least another marker molecule, or both;
- (d) combining the marker patterns detected in step to give a complex molecular combination pattern of object X1;
- (e) repeating steps (a) to (d) with at least one further object Xn (n - 2, 3, N) containing other cells and/or other cell membranes that originate from a different cell or tissue sample;
- (f) determining at least one difference between the combination pattern of object X1 and that of object Xn;
- (g) identifying at least one reagent solution Y1 or Yn whose marker pattern causes the difference determined in step (f);
- (h) selecting molecules or molecular complexes bound by at least the one marker molecule of the reagent solution Y1 or Yn identified in step (g) from a homogenate of cells and/or cell membranes originating from the cell or tissue

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sample of the object Xn differing as determined in step (f); and

(i) biochemically characterizing the molecules or molecular complexes selected in step (h).

The prior art fails to teach such process and its particular steps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khatol S Shahnan-Shah whose telephone number is (571)-272-0863. The examiner can normally be reached on 7:30am-4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette F Smith can be reached on (571)-272-0864. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

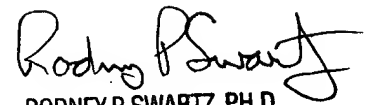


Khatol Shahnan-Shah, BS, Pharm, MS

Biotechnology Patent Examiner

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March 6, 2005



RODNEY P SWARTZ, PH.D
PRIMARY EXAMINER